

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JEFFREY P. COLBY,)
Plaintiff,) 8:04cv52
vs.) MEMORANDUM AND ORDER
DOUGLAS COUNTY,)
Defendant.)

This matter is before the court on filing nos. 96, 101 and 104 filed by the defendant, Douglas County. Filing no. 96, in which counsel for the defendant stated as of June 6, 2006, that he had been unable to contact the plaintiff, Jeffrey P. Colby, appears to be moot and is denied as such. In filing no. 104, the defendant moves to substitute Christine A. Lustgarten, as counsel for the defendant, and former counsel, Derek R. Vaughn, moves for leave to withdraw. Filing no. 104 is granted.

In filing no. 101, the defendant moves to compel discovery, alleging that the plaintiff has failed to respond to interrogatories and requests for production of documents due on June 22, 2006. The plaintiff has not responded to filing no. 101 either by notifying the court that he has properly responded to the discovery requests or that he has a valid objection. Therefore, if the plaintiff has not yet complied with the defendant's discovery requests, he must do so forthwith. If he has not complied by the time of the conference scheduled for July 13, 2006, he shall be prepared to explain why not.

Filing no. 96 is denied as moot. Filing nos. 101 and 104 are granted as set forth above.

SO ORDERED.

DATED this 11th day of July, 2006.

BY THE COURT:

s/ F. A. GOSSETT
United States Magistrate Judge